

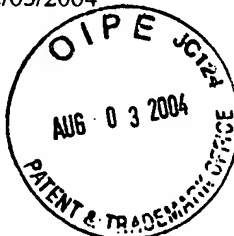


UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/772,573	02/05/2004	Luke J. Mawst	032026-0754

23524
 FOLEY & LARDNER
 150 EAST GILMAN STREET
 P.O. BOX 1497
 MADISON, WI 53701-1497



CONFIRMATION NO. 2253

FORMALITIES LETTER



OC000000012522501

Date Mailed: 05/04/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/04/2004 EFLDRES 00000091 10772573

01 FC:1001	770.00 OP
02 FC:1051	130.00 OP
03 FC:1201	86.00 OP
04 FC:1202	576.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$662 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1562** for a Large Entity


- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$662**

- **\$86** for **1** independent claims over 3.
- **\$576** for **32** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Atty. Dkt. No. 032026-0754

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Luke J. Mawst, et al.
Title: TYPE II QUANTUM WELL MID-
INFRARED OPTOELECTRONIC
DEVICES
Appl. No.: 10/772,573
Filing Date: 2/5/2004
Art Unit: 2811

<p>CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p><u>Harry C. Engstrom</u> (Printed Name)</p> <p><u>Harry C. Engstrom</u> (Signature)</p> <p><u>July 30, 2004</u> (Date of Deposit)</p>
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**TRANSMITTAL OF MISSING PARTS
OF PATENT APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed 07/30/04, in the above-identified application, transmitted herewith are the missing parts to complete the filing of the subject patent application.

Enclosed are:

- ☒ [X] Declaration and Power of Attorney (5 pages)
- ☒ [X] Return Copy of Notice to File Missing Parts
- ☐ [] Translation
- ☐ [] Drawings
- ☐ [] Preliminary Amendment
- ☐ [] Claim for Convention Priority and certified copy of priority documents

☒ Information Disclosure Statement, Form PTO-1449, copies of non-patent references

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

- ☒ Extension for response filed within the first month
☐ Extension for response filed within the second month
☐ Extension for response filed within the third month
☐ Extension for response filed within the fourth month
☐ Extension for response filed within the fifth month

☐ Other:

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$770.00	\$770.00
Total	52	- 20	= 32	x \$18.00	= \$576.00
Claims:					
Independent	4	- 3	= 1	x \$86.00	= \$86.00
ents:					
If any Multiple Dependent Claim(s) present:				+ \$290.00	= \$0.00
Surcharge under 37 CFR 1.16(e) for late payment of filing fee				+ \$130.00	= \$130.00
<input checked="" type="checkbox"/> Extension fee for response filed within the first month:				+ \$110.00	= \$ 110.00
				SUBTOTAL:	= \$1,672.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):					= \$0.00
				TOTAL FILING FEE:	= \$1,672.00
				TOTAL FEE	= \$1,672.00
Difference to pay:				- \$0.00	- \$1,672.00

☒ Check in the amount of \$1,562.00 in payment of filing fee and surcharge (37 C.F.R. § 1.16(e))

☒ Check in the amount of \$110.00 for payment of the 1-month extension of time.

☐ Please charge Deposit Account No. 50-2350 in the amount of ___ in payment of surcharge fee (37 C.F.R. § 1.16(e))

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350.

Respectfully submitted,

Date 7/30/04

By 

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Facsimile: (608) 258-4258

Harry C. Engstrom
Attorney for Applicants
Registration No. 26,876